

## Chapter 16.05 – Property Line Adjustments and Abandonment – Process and Standards

### Sections:

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**16.05.010 Purpose and general provisions.** Applications for property line adjustments and abandonments shall be processed as Type I decisions by the city planner under the applicable provisions in MMC Chapter 15.07. Approval shall be granted only upon determination by the city planner that all applicable requirements of this Title and ORS Chapter 92 have been met.

**16.05.020 Preapplication conference required.** Before the city will accept an application for a property line adjustment or abandonment, the applicant must attend a preapplication conference under MMC Section 15.07.030

**16.05.030 Adjustment/abandonment submission requirements.** The applicant shall submit two copies of the following documents to the city planner.

- A. A completed application, on a form as provided by the city planner;
- B. A boundary survey prepared by an Oregon Professional Land Surveyor in accordance with ORS 92.060(7) except where the application proposes the relocation of a currently monumented common boundary of a lot in a subdivision or a parcel in a partition when the adjusted property line is a distance of even width along the common boundary. The survey shall include in its title the following: “Proposed Property Line Adjustment Survey,” shall identify the city planning file number and approval date immediately below the title block with space for signature and date by the city planner.
- C. Legal descriptions of the parent parcels to be adjusted and the resulting parcels to be created;
- D. The proposed property line adjustment deed as provided in the MZO;
- E. A receipt from the county assessor's office indicating that all taxes for the lot or parcels involved are paid in full for the preceding tax year.
- F. Signatures of all landowners involved either on the boundary survey its self or acknowledging receipt, review, and concurrence with the content of the boundary survey.

**16.05.040 Contents of property line adjustment deed.**

A. In accordance with ORS 92.190(4), the proposed property line adjustment deed shall contain the names of the grantors and grantees, the legal description of the tract of land to be conveyed to create the adjusted line, references to the original recorded documents, and the signatures of all grantors and grantees, with proper acknowledgments.

B. The property line adjustment deed shall identify the city planning file number and shall contain a statement declaring that the purpose of the deed is for a property line adjustment. Reference to the affected properties by map and tax lot shall be in addition to reference by legal description.

**16.05.050 Adjustment/abandonment approval standards.** All parcels created through a lot line adjustment or abandonment shall conform to the applicable requirements of this Title, ORS 92.010 to ORS 92.160, and any other applicable city or state law. The city planner shall determine if the applicant's submission complies with these standards, and issue to the applicant a notice of decision consistent with MMC Section 15.07.090. The city planner's decision is final and not appealable to any other decision maker within the city.

Any errors or omissions identified after recording of the boundary line adjustment map and determined to be consistent with the limits and intent of the original approval may be amended by the applicant through the amendment process deemed appropriate by the County Surveyor.

NOTE: Creation and recording of the boundary survey does not convey ownership in the properties described on the Property Line Adjustment Map. Ownership is not transferred until the deeds describing the new alignment are signed and recorded. The applicant shall record the new property descriptions within 6 months of the city planner's approval, after which the decision shall be null and void.